

REMARKS

The Applicants acknowledge the Examiner's comprehensive Office Action with appreciation. The Office acknowledges the Information Disclosure Statement (IDS) filed with the filing papers of the instant application. Claims 19-36 remain pending in the application. The Office raises rejections under 35 USC § 112, first paragraph. The Office also raises objections as to form.

Claims 30 and 32-35 are rejected for lack of enablement under 35 USC § 112, first paragraph. It is the position of the Office that the specification, while being enabling for treatment of certain diseases that benefit from facilitating mnemocognition, does not reasonably provide enablement for treatment of all the diseases/disorders encompassed by Claims 30 and 32-35.

With the instant Amendment, Claim 30 has been amended to limit the conditions claimed to be treatable to deficiencies of memory associated with cerebral aging, the treatment of which condition is supported by the pharmacological data disclosed at pages 20-22 of the instant specification. The disclosed data demonstrate that representative compounds of the instant invention exhibit *in vivo* activity in art-recognized animal models of deficiencies of memory associated with cerebral aging. Thus, the Applicants respectfully submit that the now amended method claims are enabled with respect to the specific condition claimed to be treatable. Reconsideration and withdrawal of the lack of enablement rejection is respectfully requested.

Claim 34 is objected to as being a substantial duplicate of Claim 33 based on the terms "acutumine" and "acutumine compound." With the instant Amendment, Claim 30 has been amended to replace the phrase "a compound of Claim 19" with "a compound selected from those of formula (I)" in order to clarify the definition of the compounds recited in the method claims. Thus, method Claim 30, as amended, encompasses compounds of Claim 19, as well as "acutumine", and "acutumine compounds." In view of this amendment, Claims 32 and 34 have been cancelled,

and Claims 33 and 35 have been amended to depend from Claim 30 rather than Claim 32. Support for this amendment may be found at pages 12-13 of the instant specification, and the Applicants respectfully submit that no new matter is introduced by this amendment nor has the claim scope been altered. Reconsideration and withdrawal of the objection is respectfully requested.

The Office raises an objection to pharmaceutical composition Claims 31 and 36 based on the phrase "useful for the treatment..." It is the position of the Office that functional language is of no patentable relevance in pharmaceutical composition claims. With the instant Amendment Claim 31 has been amended to delete the phrase "useful for the treatment..." and Claim 36 has been cancelled.

Reconsideration and withdrawal of the objection is respectfully requested.

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Accordingly, entry of present amendment, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned agent has made an earnest effort to place this application into condition for immediate allowance. If she can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call her at her below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

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Enclosure: Listing of Claims; Check No. 75721 for Three (3) Month Extension Fee;
and Postal Card Receipt

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**THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER
OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION,
DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO
DEPOSIT ACCOUNT NO. 08,3220.**